SHRI SHANKAR DAYAL SINGH (Bihar): Yes.

SHRI S.S. AHLUWALIA: Whv did he fail?

SHRI SHANKAR DAYAL SINGH: I support you on this point, Mr. Ahluwalia. *(Interruptions)*

SHRI V. NARAYANASAMY: Except the assassination of the Congress MLA in

श्री सुरेन्द्रजीत सिंह अहलुवालिया: मैडम, बिहार में एक कांग्रेस एम०एल०ए० की नृसंस हत्या हुई है। मैं पिछले एक हफ्ते से चिल्ला रहा हूं। उसके बाद एक अवसर मिला है, लेकिन उसे सुबह से लटकाए हुए हैं, टेक अप नहीं किया जा रहा है। इसमें ऐसी क्या हर्डल आ रही है और अगर वह आई तो ।। बजे क्यों नहीं अनाउंस किया गया? क्यों नहीं गृह मंत्री उपस्थित थे सदन में? क्यों नहीं अनाउंस किया नागालैंड का मुद्दा?

श्री मोहम्मद अफजल उर्फ मीम अफजल (उत्तर प्रदेश): अहलुवालिया जी, आप हमेशा सही बात उठाते हैं।

SHRl S.S. AHLUWALIA: I am not addressing you. I am addressing the Chair.

श्री मोहम्मद अफजल उर्फ मीम अफजल: पेश्तर बार आप ऐसा करते हैं लेकिन मुझे अफसोस यह है कि बार बार आप सिर्फ एम०एल०ए० का जिक्र कर रहे हैं। आपको उन तीन लोगों का भी जिक्र करना चाहिए जोकि इनकी हत्या से पहले मारे गए हैं। आपको उनका दर्द हो रहा है, लेकिन दूसरे लोगों का दर्द नहीं है।

श्री यशवन्त सिन्हा: मैडम, आपकी क्या रूलिंग है?

उपसभापति: दोनों लेने हैं।

Bihar.... *(Interruptions)*

The thing is that both the Statement have to he taken before 12 O clock, midnight. It is listed over here that the Statement on Nagaland is to be taken after the conclusion of the Legislative business entered in the main Agenda for the day. Why was it not taken up after the Legislative business? Whoever was there in the Chair took a decision. *(Interruption)*

SHRI V. NARAYANASAMY: He was insisting that short duration discussion should be taken up. Now he is keeping quiet.

SHRl M.M. JACOB: Anyway, by this time Nagland Statement would have been over.

SHRI YASHWANT SINHA: There is not much to argue about it. It is a very late hour and we are wasting our time. You decide. Wc had agreed to take up Bihar. Let us take up Bihar. Why waste time?

SHRI S. S. AHLUWALIA: You take up Bihar first. *(Interruptions)*

THE DEPUTY CHAIRMAN: I have a solution. Because it is a Constitutional requirement, you make the Nagaland Statement now. Then make the Statement on Bihar. Let us get over with it. Then we will take up clarification on Nagaland. We can always find a via-media.

SHRI S. S. AHLUWALIA: We accept the Chair's wisdom.

THE DEPUTY CHAIRMAN: Yes, the Chair is always very wise.

Statement by Minister
Re: Prcsidents's Rule in Nagaland.

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI M.M. JACOB): The Governor of Nagaland in two messages both dated the 27th March, 1992, addressed to the President has informed that he had dissolved the Nagaland Legislative Assembly on the advice of the Chief Minister under Article 174 of the Constitution and the Chief Minister had been allowed to continue in caretaker capacity until fresh elections.

2. The Governor also mentioned that the majority of the Chief Minister was proved on the floor of the House during the Budget Session of Nagaland Legislative Assembly and the Ruling Party also got its candidate elected to the Rajya Sabha.

3. The Governor further repotted that the Chief Minister had favoured fresh mandate from the people because of various pressures to which he had been subjected to and felt that purposeful administration could not be carried on with Ministers and MLAs pressuring for plum posts. The Governor also mentioned that in the process, the law and order had been neglected.

4. The Union Government considered the reports of the Governor and the situation prevailing in Nagaland. Clearly

the party position in the State was fluid and the law and order had been neglected. The very grounds relied upon the Governor to dissolve the Assembly showed that it was not possible to carry on the administration of the State in accordance with the provisions of the Constitution for the normal life of the Assembly. Accordingly, it was decided to recommend to the President of India to issue a Proclamation under Article 356 of the Constitution in relation to the State of Nagaland. The President has been pleased to issue the said Proclamation on 2nd April, 1992.

I lay on the Table of the House *a* Notification issued by the President in this regard in Hindi and English.

THE DEPUTY CHAIRMAN: Now I am allowing the Statement on Bihar. Mr. Ahluwalia and rest, all of you arc going to sit throughout the whole proceedings. After the Bihar Statement we arc not going to leave.

SHRI S.S. AHLUWALIA (Bihar): I will be here till the House adjourns.

THE DEPUTY CHAIRMAN: O.K.

STATEMENT BY MINISTER

Re: Death of Shri Hcmaiit Shahi, MLA, Bihar.

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI M. M. JACOB): Madam Deputy Chairman. With your permission I propose to apprise this august House of the facts regarding the incidents that took place at Goraul. District Vaishali, Bihar on 28th March. 1992 which resulted in the death of Shri Hemant Shahi, MLA, Bihar.

2. The brief facts of the case as reported by the State Government of Bihar arc as follows:—

The auction of the hat and mcla of the Goraul Anchal had been fixed for 28.3.1992. Last year the auction had gone in favour of Shri Rcghunath Shah who is currently in jail in connection with some case. The Mukhiya of the local Panchayat, Ram Chander Shah was making efforts to ensure that the auction goes in favour of Shri Munna Shah who is the son of Shri Rcghunath Shah.

3. The record of the Panchayat was with the Panchayat Sewak who was not available. Shri Ram Chander Shah wanted that the auction should be held on 30.3.1992. On 28.3.1992 Shri Hemant Shahi. MLA had called the Anchal Adhikari to his village. The Anchal Adhikari had gone to his village and was there for about two hours. After returning, the Anchal Adhikari started the process of auction at 3 P.M.

4. First two auctions on 28.3.92 were peaceful and when the third auction was taken up Mukhiya Ram Chander Shah requested that this auction be held on 30.3.1992. Shri Jai Mangal Rai, Shri Mahavir Sahani and a few others objected to his request on the ground that since the notice of the auction had been given on 25th, the Mukhiya had adequate time to obtain the records from the Gram Sewak. They said that if the process of auction was stayed, approval, would have to be taken and as a result the whole process would be delayed. The Anchal Adhikari accepted this. Then Ram Chander Shah and his supporters left that place.

5. Ten or fifteen minutes after they left Shri Hemant Shahi, MLA along with his bodyguard and 3-4 others reached the Block Office in his gypsy. Shri Arun Yadav was standing in front of the Anchal Adhikari's room with a double barrel gun. Seeing him standing there, the bodyguard of Shri Hemant Shahi slapped his and asked him whether he had the gun licence with him. Shri Arun Yadav said that he had the licence. By that time Shri Hemant Shahi had caught hold of the barrel of the gun and said that you people were coming with a gun to the auction to create disorder and mischief. A scuffle ersued between both and the double barrel gun went off. The bullet hit the MLA and he fell down after being wounded. After the MLA fell down his bodyguard opened fire. Shri Arun Yadav ran into the Circle Officer's room and opened fire from that room. In the end the bodyguard of the MLA shot Shri Arun Yadav dead and from inside the office he opened fire on Sarjug Sahani. The Police Station is only 50 yards away from the place of incident. Constable Shashi Bhushan Sharma who